

NISHIKAWA *et al.*, Serial No. 10/775,189  
PA/Stmt. of Sub. filed 12 May 2005

Dkt. 1297.43430X00/H04-3986/KK  
Page 3

### REMARKS

This Preliminary Amendment is responsive to the telephonic Examiner Request made 12 May 2005, and is further responsive in any other manner indicated below.

Claims 1-3 are pending in the application.

The following Statement of Substance is respectfully submitted.

Examiner Ali contacted Applicant's undersigned representative on 12 May 2005 and indicated that the present application appears to be in condition for allowance with the exception of the length (word count) of the Abstract. To expedite prosecution, Applicant's undersigned representative agrees to correct the informality in the Abstract noted by the Examiner. Accordingly, Applicant respectfully submits the above amendment of the Abstract in accordance with 37 CFR §1.72(b).

It is respectfully submitted that any and all amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

The Examiner is invited to telephone the undersigned at the local D.C. area number 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

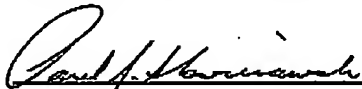
NISHIKAWA *et al.*, Serial No. 10/775,189  
PA/Stmt. of Sub. filed 12 May 2005

Dkt. 1297.43430X00/H04-3986/KK  
Page 4

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application is now in condition for allowance. Accordingly, an early Notice to that effect is respectfully requested.

This Preliminary Amendment and Statement of Substance is being filed prior to the mailing of a first Action on the merits in the subject application, and at the request of the Examiner assigned to this case. Accordingly, no Petition or extension fee is required. To whatever other extent is actually necessary and appropriate, Applicant respectfully petitions the Commissioner for an extension of time under 37 CFR §1.136. No additional claims fees are required for entry of this paper. Please charge any actual deficiency in required fees for entry of this paper to ATS&K Deposit Account No. 01-2135 (as Case No. 1297.43430X00).

Respectfully submitted,



Paul J. Skwierawski  
Registration No. 32,173  
ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 North Seventeenth Street, Suite 1800  
Arlington, Virginia 22209-3873, USA  
Telephone 703-312-6600  
Facsimile 703-312-6666